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Rearticulations of Reason
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Protest for Protest: Rationality and the

Political protest can be characterized as a form of political social and cultural action (see, e.g., 165). Protest behavior is defined as movements that arise around issues or demands, in opposition to the ideas or interests of power. The "capacity to mobilize public opinion" and thus put pressure on decision-makers does not mean legitimate methods beyond speaking. The freedom to use "unorthodox" means is more than just the exercise of the right of expression of opinion. It is the right to inflict vicissitudes in a way that makes the dominance of certain opinions, beliefs, and forces them to take these opinions into account in their decisions.

In this paper I will discuss the role of protest. First I will talk about the conditions under which, importantly, involve the use of *speech*. Third, I will discuss the ways in which protest have evolved from or through the concept of protest as a *prima facie* legitimization (see, e.g., 137). Fourth I will talk about the ways in which protest show that these contexts have different forms of communication, different forms of public, political exchange.

rationality and irony do not, however, provide criteria of legitimacy. I will argue that protest is legitimate or illegitimate for moral reasons rather than procedural or systemic reasons. A claim about the legitimacy or illegitimacy of a certain protest action cannot be detached from the moral evaluation of the cause motivating the action.

1. Protest and convictions

Richard Rorty and Stanley Fish have argued that we should not seek philosophical or theoretical justifications of social, political or moral convictions. Basically their argument can be understood as going against the idea that social, political or moral convictions (spm convictions) much be based on underlying "deeper" convictions or value commitments of theoretical, philosophical (metaphysical) or religious nature (tpr convictions). They maintain that tpr convictions typically *do not* influence spm convictions, and that one cannot expect spm convictions to correspond in any general sense to deeper tpr views (Fish 2003, 389–390, 395). Rorty also argues that theorizing spm convictions may even reduce their practical relevance since politics needs "plain talk" rather than overly theoretical or ideological approaches. Connecting spm convictions to deeper philosophical beliefs simply complicates them, making it more difficult to relate them to real tangible issues. One should conduct political debates in terms that need no elaboration or explanation, according to Rorty, but reflect rather what anybody can understand, and supposedly share, independent of "private" attitudes, which include philosophical beliefs (Rorty 1998, 91–92, 104).

Richard Bernstein responds to Rorty by expressing a concern that his separation of the plain and the theoretical trivializes political convictions. He writes: "The trouble with Rorty's 'inspirational' liberalism is that at best it tends to become merely inspirational and sentimental, without much bite" (Bernstein 2003, 137). Bernstein's position is thus directly opposed to Rorty's: While Rorty complains that theoretical complexity blurs the political issue, Bernstein argues that without theoretical sophistication, political convictions lack weight and, one might assume, relevance.

The "standard" opinion on the connection between spm convictions and tpr convictions clearly differs from Rorty's and Fish's view. *Prima facie* one might assume two things:

- (1) ideally spm convictions should be based on, or even derived from, deeper convictions – tpr convictions.
- (2) Spm convictions that lack theoretical basis are not convincing and may even evoke the suspicion that holding them is a matter of upbringing or indoctrination rather than critical reflective thinking.

In other words – common sense tells us that spm convictions which lack the justification that refers to some "deeper" convictions therefore lack credibility and may even fail to create a binding commitment. Bernstein captures this problem in his critical remarks. Rorty and Fish may be right about the *causal* link between tpr and spm convictions (no tpr conviction generates a particular set of spm convictions and the same spm convictions may be based on radically different tpr convictions). But that is not the whole story.

While the notion of a direct link from philosophical or theoretical views and attitudes to political action is misleading, it doesn't seem to make sense to say that such views neither explain, predict nor justify action. There may not be systematic or let alone causal link between philosophical beliefs and spm convictions. But to take that too seriously eclipses the common sensical claim, that any individual will consult his or her philosophical (or religious) convictions in forming other convictions or in adopting beliefs about social, political or moral matters, and that to think critically about one's own views, convictions and approaches is to reflect on such beliefs from deeper or more general perspectives, such as from the point of view of philosophy, theory or religion. Thus even in the absence of one directional causal flow from a tpr conviction to some spm conviction a meaningful dynamic interaction between an individual's tpr convictions on the one hand, and his or her spm beliefs and behavior on the other cannot be excluded.

It is often assumed that spm convictions draw on basic or entrenched value commitments, where a "value system" will determine spm convictions and consequently influence political behavior. One Social-Movements theorist e.g. maintains that the "[c]haracteristics of a given system of values will shape the components of action." The compulsion to act comes from a lack of integration with a current value system or from an observed "[i]nability of the system to reproduce and reinforce its fundamental values" spurs "unorthodox" action. (Della Porta & Diani 2006, 67). To describe the value-action relation in this way is another way of claiming that a one way causal flow exists between tpr

and spm convictions. And open to the same criticism. Surely there is some connection between values and action, but to assume that social action can be explained by a clash were certain entrenched values seems simplistic.

One reason for opposing a model, where spm convictions, and consequently social action, require more fundamental values or tpr convictions, is the apparent assumption that such convictions are basic or fixed whereas spm convictions are open to fluctuation and change. Thus protest action would e.g. be taken as the expression of some well entrenched values and convictions which demand this kind of outlet. Justification would have to do with showing that the deep convictions and commitments need that kind of outlet. But a trivialization necessarily occurs when it is admitted that every individual has the right to whatever deep value commitments and also the right to express them. To see protest as either caused or justified by an underlying set of value commitments or convictions is to dismiss any kind of challenge posed by such action. The protester is seen as a person who voices an opinion and whose voice may or may not be heard. In fact there are always *prima-facie* good reasons, on this view, not to listen to protest, since the protester represents values or convictions which are not shared by whoever actually makes the decisions. Decision-makers have different value commitments. Listening to protest in other words is listening without being affected which is equal to not listening at all.

I want to suggest a different way of looking at the relation between fundamental values or tpr convictions on the one hand, spm convictions and protest on the other.

Values may, just as tpr convictions, explain spm convictions and some corresponding activism even though they have no, or very limited, predictive power. But it is a mistake to see personal values and tpr convictions as detached from action. If activism in the form of political protest is spurred by the impression that some decision or action is morally wrong, then values should be understood as related to that idea in different ways. Protest can be the expression of value commitments, but it may also be a formative event, through which new ideas and values come into being. Moreover activism may also serve to entrench values – create convictions which then shape future action. The protester who participates in a relatively peaceful protest against e.g. an environmental policy and is beaten up by police is not unlikely, by this experience, to go

through a transformation of values. To such a person the experience may be revelatory – he or she may come to see the authorities as not only misled and misinformed but as deliberately conducting mistaken policies for some secondary purpose. This reaction forces him think more and deeper about his own values, which may lead to their becoming even stronger than before, or to their transformation.

For these reasons, the relation between protest and tpr convictions, including values, is not insignificant. It is, in fact, impossible to claim that spm convictions can be understood without discussion of underlying philosophical beliefs, and consequently without theorizing them. But this does not imply a one way causal flow from such beliefs to spm convictions or political action. It actually states only the obvious: Participation in politics or political action creates experiences which cannot but interact with previous views and convictions, influencing them as well as being influenced by them. Therefore just as the view that there is no connection between spm convictions and tpr conviction is simplistic, the idea that social action is typically a form of expression of fundamental values or convictions is seriously flawed.

2. Protest and free speech

It is often taken for granted that the right to protest is entailed by the right to free speech. This might seem obvious: Free speech is included among basic civil liberties for several reasons. One of them is the importance liberal theory places on the right to express one's opposition to government action. If, in liberal democracies, people have generally the right to say whatever they want to say (within some well defined limits) this right applies specifically to protest. But there is a difference between not being persecuted for expressing one's opinion, on the one hand, and being listened to on the other. The free speech argument, putting the emphasis on expression, trivializes the motivation behind protest action, since the protester's objective is to make an impact, not just to express an opinion. By putting the emphasis on expression, free speech argument, according to which protest is simply exercising one's right to free speech by voicing opposition to policy or decision-making, equates protest to the expression of preference. The characterization of protest at the beginning of this paper as communication using unorthodox means, however, implies that the protester demands a right which goes beyond the

right to free speech: The purpose of using unorthodox means is to increase the likelihood of one's being heard and could even be understood as the demand of a right to be heard. The use of unorthodox means may also rank impact over communication.

This suggests a certain paradox: The protester fights for considerations which on the whole he or she believes to make decision-making more, rather than less, rational. Yet the effect of protest seems to rest on pressure rather than rational argument. The paradox could be resolved by pointing out that the protester often believes himself/herself not to be informing decision-makers about relevant issues, but rather to be pressing decision-makers to do what they already know (or should know) is the better and more rational course of action, but which they fail to do for illegitimate reasons.

A demand to be heard or for a right not to be ignored does not make much sense, except through the use of force. Even if public institutions may in certain cases have an obligation to respond to criticism, or take opinions and interests of groups and individuals into account, it is questionable to what extent public pressure or discontent ought to influence decision-making by authorized bodies, such as legislatures or the government, or to what extent pressure ought rather to be resisted by such bodies. One should therefore make a clear distinction between protest action and freedom to express one's opinions. Protest results rather from the ineffectiveness of speech – it is an attempt to force decision-makers or elites to listen using unorthodox means, i.e. make it impossible for them not to listen and respond. A reactive or negative response to protest is a response to unorthodox means rather than to the content of protest.

The response to protest as such by political elites often corresponds to the perceived threat from an imagined or actual movement behind protest action. To declare protest action the exercise of the right of free speech is a rhetorical device making a response irrelevant, free speech after all is a right that anyone has in a liberal democratic society. Protest, perceived as a threat, on the other hand, elicits a different response, involving a redescription of the protester who, no longer an individual exercising a right to free speech, has crossed a boundary from the irrelevant to the harmful. Consequently authorized bodies will often refuse to respond to the protest as such, rather, they will condemn the protest, or some part of it, as illegitimate or posing danger to the public order.

For the protester the latter option may be more desirable: Even if authorities refuse to deal with "terrorists" or "saboteurs" they will be forced to enter into some kind of a dialogue – or at least some kind of interaction with a protest group if they choose to describe it in that way. Evoking a negative or hostile reaction may thus serve the protester's purpose better than respect for the right to free speech which amounts to no response at all. This is another paradox, the paradox of authoritarianism: Since under some kinds of authoritarian rule protest is more likely to generate response from the authorities than it is under non-authoritarian circumstances, even in the form of violence, the appeal to free speech may paralyse, rather than reinforce rightful protest.

These considerations raise questions about the purpose of protest action in different circumstances. It is fairly obvious that militant or violent groups will seek rather than avoid violence. What I am arguing may, however, be less obvious namely that protest implies coercion, where an attempt is made by the disempowered to coerce the empowered. One purpose of protest may be simply to reveal the "true nature" of government, e.g. evoke a reaction which shows readiness to use violence. Another purpose may be to force a government to actually change policies or decisions by showing the strength of a position or the number of those prepared to commit themselves openly to a position opposed to the government's position. Sometimes the demands are simple and clear, sometimes they are directed at ways of thinking, at mentality, rather than at specific instances of it.

To claim that a certain protest-action, as protest-action is justified, contains more than just the claim that an individual or a group has a right to express an opinion. It amounts to claiming that the protesting party has a right somehow to be taken into account, or if a protest-action cannot be ignored or poses a tangible threat, that this threat is justified given the importance of the view in question. The protester, however, is in many cases not about to have himself and his group reduced to an interest group which has been lucky enough to gain audience with the authorities. The voice that cannot but be heard is the protester's desired position in a dialogue, where "unorthodox means of communication" are continued and developed rather than transformed into the more traditional discursive forms of political deliberation. The protester may wish to be accepted as a discussion partner, but that is not necessary. A protest group may not wish to participate in the decision-making

process at all, or alternatively it may have revolutionary goals, such as taking over the decision-making process entirely.

The Velvet-revolution in Prague is a good example of protest having a clear and simple purpose: having "the people" take over the political process. It also had almost immediate total success in a full reversal of government policies, followed by a rapid decline and finally collapse of the Czech government. Protest against projects that are already in the making, wars already being fought and so on seems to have a different purpose, i.e. to point out injustice or harm and to demand accountability. In such cases protest focuses rather on mentality or attitudes than on direct impact on decision-making.

Protest, therefore, goes beyond expression, protest is the exercise of power or an attempt to demonstrate power, in the absence of any actual or formal power. Since effective protest touches or crosses the boundaries of legitimacy, the free speech argument only conceals its purpose, perhaps because the right to free speech is not a right to communication but just a right to express one's views and feelings. Protest cannot be effective unless it promises something different from speaking. It must implicate a form of power and a possibility of the unleashing of that power, creating insecurity, even panic, among elites. Defensive reaction may therefore be seen as the clearest sign of success of a protest action, even if such reaction is nothing more than an indication that a protest group poses a threat. Once a protest group is recognized as threatening it has, in a way, acquired the formal power that the right to free expression did not entail.

What, then, would count as justified protest? Two conditions seem necessary. First the protesters must be able to show that the spm convictions they represent are worthy of serious consideration, and are important enough to raise questions about deeper value commitments or tpr convictions. Second it must represent or raise an issue which decision-makers either ignore or repress.

3. Protest and rationality

Some kinds of protest action, such as civil disobedience and various kinds of non-violent action, emphasize the alleged irrationality of government action, decision-making or legislation. Opposing irrationality by either ignoring it or acting directly to defy irrational demands may

change everyday behavior into protest action. This perspective gives rise to two opposed kinds of assessment. A liberal assessment tends to hold civil disobedience justified if and only if the protester is in fact acting to oppose irrational or unjust order. A conservative assessment, on the other hand, tends to hold that protest action that goes beyond openly stating dissenting views and in some way challenges power, by open defiance of the legitimate order, cannot be justified no matter what it states.

The anti Vietnam protests in the US in the sixties and seventies as well as much of the civil protest of racial segregation are now widely held to have been justified. Since the protesters were clearly right it is difficult to argue that their protest action, even if it sometimes involved law-breaking was unjustified. In hindsight the protesters' cause will be reconstructed as rational, the government's position irrational. Conservative critics of protesters at the time, however, argued that all protest would have to be conducted within the framework of the law, protesters should even follow the letter of the segregation laws. Thus although the protest was directed against unjust laws that per se could not justify breaking these laws. They should be protested, and argument presented against them, but without actually breaking them, since doing so would "threaten the constitutional order".

One might argue that the liberal assessment is the prevailing view of protest on this description, since once an order has been changed, it may also seem to have been unjustified while it held. The conservative assessment, however, remains unchallenged: The claim a protest movement may have to rationality does not create any justification of acting against an unjust order, but it stresses the shortcomings of the free speech argument. According to the conservative assessment protest is justified for the same reason that justifies speaking. But since speaking needs no particular justification, it is hard to see how protest action could possibly differ from speaking one's mind. Thus on the conservative assessment, even given that the protester is right, defiance or disobedience that involves breaking laws is justified.

In other words, what we see is simply that basing a justification on the right to free speech misses the point. The conservative critic in fact simply refuses to accept protest as a special description of action and will always seek to preserve the restrictions placed by the social order on all civic behavior.

The liberal assessment on the other hand accepts protest action as one way of fighting to create a more just and rational social order and thus will accept certain forms of disobedience as a necessary means to do so. In fact this amounts to an acceptance of protest action in terms of the expected future success of the movement behind that action. The rationality argument justifies protest action in terms of a certain wager, rather than seeing protest as a form of communication in the sense discussed earlier, and thus allows for a cataclysmic view of social change, were the old and unjust order is from time to time removed by a better more rational social order. Social progress in fact necessitates action, since a social cataclysm may be needed for improvement.

The liberal and the conservative assessments share an understanding of protest action as an attempt to achieve radical or revolutionary change of society as a whole. On that account protest is only partly seen as a form of communication and the position of the disempowered is seen more in light of their possibility of gaining power. Thus the protester here is not engaging in deliberation or even dialogue. The relation between authorities and protesters does not invite communication – the protesters are not communicating with authorities through defiant or threatening acts, but rather trying to will over supporters who then would gradually make the authorities understand the power of the disempowered.

4. Irony

Richard Rorty introduced the concept of irony in a paper entitled "Private irony and liberal hope" without going into much detail about its sense and use. He characterizes an *Ironist* as someone who is not inclined to think about his or her own way of interpreting and describing the world as the only or even necessarily the best way to interpret and describe the world. The ironist does not "fight [his/her] way past appearances, but simply [plays] the new off against the old" (Rorty 1989, 73). Rorty's notion of irony is often interpreted as the spousal of social and moral relativism on the verge of nihilism, since the ironist, according to some critics, is unable to take any values seriously. One might then question whether the ironist be motivated to engage in protest action.

Irony however should be taken to mean a certain kind of detachment, rather than unseriousness about social, cultural or political issues. The

ironist detaches himself/herself from the vocabulary that the environment, and thereby questions even the fundamental values inherent in his or her own environment. The philosophical consequences of this detachment is the recognition that by the same token one can detach oneself from any vocabulary – any culture. The question of irony has in that sense not much to do with serious or unserious but more to do with the kind of solidarity or fraternity that may motivate radical action.

Rorty never connects irony to non-seriousness as his critics have done. What he does however is to confine irony to the private realm – that is to say the ironist exercises his or her detachment in private life, whereas in social matters he or she is committed to hope – the hope of improving life and thus in social matters may engage in plain talk about politics and social progress. Rorty thus minimizes the socially undesirable consequence of irony by creating a distinction between the private and the social, were an individual may at the same time be a private ironist and a social reformer. Many commentators have found this distinction rather unconvincing to say the least. This criticism is in my view justified since the distinction creates an unhealthy gap between private and public action. The ironist according to Rorty is an *intellectual* i.e. a person who is constantly probing, criticizing and inspecting *himself/herself* and is too aware of the many vocabularies and descriptions ever to be fully committed to one or the other.

What I want to do here is to treat irony a little differently – although I don't think I will seriously depart from Rorty's general understanding of this concept.

Instead of looking at irony from the point of view of socialization/edification like Rorty does, we might see it as one of the perspectives that fuel social action. The ironist has a natural way of distinguishing *rhetoric* from the *real*. While decision-making is real in that sense, the ways of describing it or justifying it is always a matter of rhetoric or political rhetoric.

Governments typically incoke Grand Explanatory Schemes to account for their action, whereby they justify decision-making from the point of view of a general policy, which has to do with long-term development economic well-being vision for a common future and so on. Ironists doubt Grand Explanatory schemes and see them for what they are, i.e. rhetorical devices which may reflect true intentions and ideolo-

gies, but which may also (and frequently do) conceal motivations that have nothing to do with simpler things like greed, self-interest etc.

The decision-maker thus finds it important to dress up decisions in a way that makes them look good – the ironist, on the other hand will attempt to undress them. The ironist clearly will not think of ordinary discussion as a very useful device to demonstrate or reveal hypocrisy or hidden aspects of official rhetoric. It seems natural that activism of some sort would appeal more to him/her. Deliberation is good when all parties to the debate agree that the surface issues for discussion are also the real issues for debate. When that is not the case deliberation is useless – or mostly useless, because it makes it possible for the parties themselves to choose when, how, and to what extent they should reveal their preferences. Protest action of some sort may result in the unintentional revealing of real preferences. An ironist is the person who sees that as a main or at least an important part of all social participation.

One may go further than that and argue that protest action is deeply ironic since it assumes that decision-makers do conceal or ignore important information and therefore their decisions should not be taken too seriously, their hidden or unrevealed aspect in fact necessitates an ironic attitude.

Rorty's private/social distinction is based on the assumption that official discourse is common-sensical. The ironist therefore vacillates between the ironic assessment of his own views and vocabularies and the social plain talk. But protest action blurs this distinction. First the protester abandons the plain talk surface and raises questions about it. Second, by abandoning the deliberative sphere the protester puts himself/herself at stake. He/she may resort to methods that somehow belong to his private self rather than to his social self, e.g. by deliberately having himself arrested, by going on a hunger strike etc. The protester's action also clearly reflect on his or her own identity in creating questions such as: To whom should I belong? What kind of person am I?

For these reasons it seems to me that the concept of irony is a useful device in discussing and understanding protest. The ironist is the person who is likely to find unorthodox ways of communication useful because of his/her ironic attitude toward authority. The ironist may seek a dialogue by eliciting response through some kind of action, but he/she will not be interested in deliberation, discussion or bargaining because of

his/her inherent distrust of the very vocabulary in which ordinary politics tends to be conducted.

Conclusion

My aim in this paper has been to show that protest evades some of the assumptions usually made in political discussion. Its relation to philosophical convictions is dynamic rather than static, it can only superficially be categorized with free speech and its legitimacy does not depend on its being conceived of as an alternative way of making sense of inherent or deep-going rational core of the liberal, democratic society. Protest is perhaps best understood by its deeply ironic aspect. By cutting himself from both conventional channels of communication and from routine ways of getting a message across, the protester abandons vocabularies without necessarily proposing anything new; creates a dialogic relation to authority and social order, without becoming a part of its vocabulary or committed to any particular set of rules of deliberation.

The importance of protest appears in the confusion of powers which protest action often achieves. Protest action is at its core the spontaneous empowerment of the powerless, making it possible communicate things and issues which otherwise would not be communicated. It may be more important to reveal something about decision-makers than proposing policies or solutions. Activism, and protest action in particular, may be judged in many ways, but I don't think there can be any overarching rationalization for that matter. To recognize them as subversive and ironic forms of challenging surface rhetoric and surface justifications to see their function as ironic, in the sense I have described.

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